IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 308 of 1985

M/s.Tata Oil Mills Co.Ltd. & ors. .. Plaintiff
versus
M/s.Prabhat Transport .. Defendant

...

Mr.H.N. Jain i/b Gordhandas & Fozdar for plff.
None for the defendant.

CORAM : D.G. KARNIK,J.

DATED : 22nd July 2005.

P.C.:

1. Heard learned counsel for the plaintiffs.

2. Suit is for recovery of money. The defendant has not filed written statement for nearly 20 years entitling the plaintiff to a decree under Order 8 Rule 10 of the Code of Civil Procedure. Learned counsel for the plaintiffs states that decree may be passed in favour of plaintiff no.2 alone in whose favour the letter of subrogation has been issued. Suit is decreed under Order 8 Rule 10 of the Code of Civil Procedure in favour of plaintiff no.2 as per prayer clause of the plaint.

D.G. KARNIK, J